

CHAPTER 4

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## 4.1 BALLOT AND ELECTION SECURITY

RCW 29A.40 &amp; 29A.60

## DEFINITION

WAC 434-250 &amp; 261

**Secure storage** must employ the use of security measures that document access, detect inappropriate access, and if inappropriate access is detected, which materials were accessed.

Effective security is accomplished in layers. Evaluate the security of your office by answering the following questions.

- How is the public restricted to a specific area?
- How do you restrict access to records, computers containing data, as well as tabulation, processing and storage areas?
- How is access documented?
- Who is reviewing the access documentation and how often?
- Can your security measures identify which materials each person has accessed?

Security layers may include:

- Seals
  - Uniquely numbered
  - Requiring destruction of the seal when accessing the ballot storage
- Seal logs that chronologically record:
  - Seal number
  - Date
  - Identifying information of persons attaching or removing seal
  - After tabulation, documentation as to why a seal was removed
- Electronic surveillance
- Electronic keycard systems
- Other methods that detect and document access to secured materials



## November 6, 2012 General Election

## Seal Acc

Time	Date	Seal # Off

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## WHAT MATERIALS MUST BE SECURED?

### BALLOTS

The term “ballots” is not restricted to printed ballots and includes:

- Any voted ballot
- Emails, including “deleted” emails, containing voted ballots
- Tally documents
- Data, such as mobile ballot boxes (MBBs)
- Programmed tabulators

Voted ballots and ballot images must be in secure storage except during:

- Initial and final processing
- Duplication
- Inspection by the canvassing board

Following tabulation, seal ballots in containers that identify the primary or election.

The containers may only be opened for the following reasons:

- Canvassing ballots prior to certification
- Conducting recounts per canvassing board directive
- Manual counts requested by party observers per RCW 29A.60.170 (3)
- By order of the superior court

Whenever the canvassing board opens a ballot container, a full record of the additional tabulation or examination made of the ballots must be included in the canvassing board documents. Notify political parties and ask for observers.

When preparing a voting device for a primary or election:

- Make a record of the ballot format installed in each device and the precinct the voting device will serve
- Seal device with a uniquely numbered seal

Use a seal log to record the seal number. From the time of receipt until opening, secure all returned ballot envelopes with voted ballots.

## Manage Ballots like Money

- Count often
- Review and retain documentation
- Restrict and document access
- Keep secure when not in use

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### BALLOT DEPOSIT BOXES

During an election, ballot deposit boxes must be locked and sealed.

Every time a box is sealed and a seal is broken, seal logs must document the act.

Two people who are either employees or appointees of the County Auditor must empty boxes. At exactly 8:00 pm on Election Day, all ballot boxes must be either:

- Emptied, or
- Sealed, to prevent deposit of ballots after 8:00 pm

Voted ballots, including provisional, mail-in, and direct recording electronic and paper records, must be placed into secured transport carriers for return to the county auditor's office or another designated location.

### BALLOT TABULATION PROGRAMMING

**Tabulation equipment and programming** should be secured. Only authorized personnel should have access and that access needs to be documented.

 *Optical scan systems must use an approved security plan when scanning before Election Day.*

**Accessible voting units (AVU)** require:

- A record of the ballot format installed in each device and the precinct the voting device will serve
- Securing with uniquely numbered seals
- Seal logs to record the seal numbers

### SECURITY REVIEWS

The Office of the Secretary of State periodically conducts security reviews for counties. Counties are encouraged to conduct their own security review and examine and adopt procedures promoting security, for example:

- Restrict access to ballot processing areas by implementing sign-in sheets, badges, or other methods of documentation
- Always have at least two people present when processing ballots
- Only authorized personnel may handle ballots
- If a single person must transport ballots, secure the ballots with seals and logs or other means of documenting access

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## 4.2 ISSUING AND RECEIVING

## RCW 29A.40 & WAC 434-235 & 250

### ISSUING BALLOTS

Mail or deliver electronically a ballot packet to every active registered voter. The hierarchy of addresses provided by the voter for this purpose is, (1) an address specific to the election (may be email or fax), (2) a mailing address, and (3) the voter's residence.

Every County Auditor must record the date a ballot was issued, and be able to report the total number of ballots issued by legislative & congressional district for every election.

### UOCAVA (UNIFORMED AND OVERSEAS VOTERS)

Under the Uniformed and Overseas Citizens Absentee Voting Act an overseas or service voter may request the ballot be issued by mail, email or fax. This request applies to every election until the voter changes the information or the ballot is undeliverable. By default, if no such request is made, the ballot will be mailed through the US Postal Service.

UOCAVA ballots must be sent 30 days before a special election and 45 days before a primary or general election.

#### **What if a UOCAVA voter lacks a Washington State address and insufficient time exists to contact the applicant?**

Provisionally precinct the voter to the County Auditor's office for the current election

- Only countywide offices / issues, and congressional races, based on the precinct encompassing the County Auditor's office, are counted
- If the voter's precinct is not determined by the next primary or election, the registration is cancelled

### SPECIAL ABSENTEE

Issued when

- The voter submits a [Special Absentee Ballot Application](#) (available on the OSOS website) stating the voter believes that the official ballot will not reach him/her in time to vote
- The election is within 90 days or less

Special absentee ballots simply list offices and measures

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Do not wait to issue special ballots; provide the voter with something as soon as requests are received. If the official ballot is not yet available, provide the voter with a blank list of known races and measures that the County Auditor believes will be in the election.

The voter is entitled to request a regular ballot in addition to the special absentee ballot. Instructions accompanying a special absentee ballot must state the voter may also cast a regular ballot which, if received, will be counted in lieu of the special absentee ballot.

### INACTIVE

Inactive voters must request a ballot; they are not automatically issued a ballot.

Registered voters listed as "inactive" are issued a regular (official) ballot upon request.

When an inactive voter requests a ballot, confirm their residence address, issue an *official* ballot (not a provisional) for the precinct listed on the registration. Unless your EMS requires activating the voter in order to issue a ballot, wait until after the election to update the voter's address and change the status to *active*.

### IDENTIFICATION REQUIRED

If an active voter is provisionally registered, issue an official ballot. The return ballot envelope should indicate the voter is provisionally registered. An "Identification Notice," in compliance with WAC 434-250-045, must be included with the ballot to inform the voter:

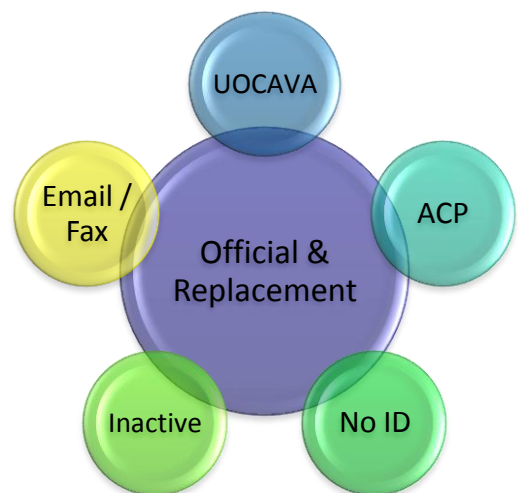
- A photocopy of valid identification must be provided in order to count the ballot
- Which forms of identification are acceptable
- How to return the required identification without compromising the security of the ballot
- The ballot **cannot be counted** unless identification is provided

### REPLACEMENT

Replacement ballots may be issued up to 8:00 pm Election Night.

Voters may request replacement ballots by telephone, in writing, electronically, by the voter, or a family member. Keep a record of each replacement ballot issued, including the date requested.

Replacement ballots are not issued if the applicant is ineligible to vote or the record is



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not found. (However, the applicant should be offered a provisional ballot if requesting in person.)

### ADDRESS CONFIDENTIALITY PROGRAM

Ballots sent to Address Confidentiality Program (ACP) participants must be sent no later than 18 days before the election. Mark the return envelope to ensure the voted ballot is routed to authorized county personnel.

### BALLOT PACKETS

WAC 434-230 & 235

### MAILED PACKETS

#### For All Voters:

- Ballot – specific to a voter’s precinct
- Security envelope
- Pre-addressed return envelope with ballot declaration
- Outer mailing envelope with required postal information. If forwarded, provide postal endorsements that ensure the county auditor receives updated address information and undeliverable ballots are returned to the County Auditor. If ballots are not forwarded, the County Auditor may decide to resend ballots to the new address provided by the USPS. The ballot sent to the new address is still that of the original precinct of registration.
- Instructions – specific to the election, how to mark the ballot, and type of ballot

#### UOCAVA Voters

The same information as required for regular mailed packets. Additional requirements:

- Special return envelopes are required with free *return* postage when mailing through U.S. mailing services. The regular ballot declaration may be used.
- Instructions:
  - The date of signing the declaration is considered the date of mailing
  - How to return the ballot by fax, email, or postal mail
  - Correct use of the ballot privacy sheet when returning a voted ballot by electronic means
  - The ballot declaration must be signed by Election Day
  - How to obtain information about the election—i.e. county website and email addresses
  - How to confirm that a voted ballot is received by the elections office

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- Additional information:
  - County Auditor's website, mailing address, email address, phone number, fax number

### EMAILED/FAXED PACKETS

Any voter may request and be issued a ballot by email or fax. Different balloting materials are required for UOCAVA voters than for all other voters.

#### **UOCAVA Voters**

UOCAVA voters may choose to receive ballots via email or fax. Ballots issued electronically must include:

- All information required for every mail ballot packet, with the addition of a postage paid return envelope
- A ballot declaration to be printed and signed by the voter
- Voting instructions specific to voting an email or fax ballot
- A privacy cover sheet to separate the voted ballot from the signed declaration
- Website information for the County Auditor
- Instruction for returning the ballot electronically by 8:00 pm Pacific Time Election Day or by mail

#### **Non-UOCAVA Voters**

- Requirements are the same as for UOCAVA voters, except the return envelope is not postage paid
- Additional instructions stating that the fax/email ballot will not be valid and not count unless the original voted ballot is received by the County Auditor no later than 13 days following a primary / special election, or 20 days following a general election

### UNDELIVERABLE BALLOTS

For ballot mailings, you must receive all undeliverable ballots with address change information from the USPS. Use the USPS information to update the voter registration rolls. This information qualifies under the National Voter Registration Act (NVRA) for changing the status of a voter.

If the address is within your county, the original ballot may be resent to the new address. Wait until after the election is certified to transfer the voter.

If the voter has moved out of the county but within the state, out of the state, or lacks a new address, do not resend the ballot. Follow the procedures to change the voter's status from active to inactive.

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Undeliverable ballots are not reportable as ballots returned in election reports. They are just blank forms that, sadly, did not reach voters.

#### DEADLINES FOR MAILING BALLOTS

Number of days prior to an election	Initial mailing deadlines	Requirements following deadline
90 days	Special absentee ballots	<i>Requests outside of 90 days</i> - return application or hold until deadline  <i>Requests inside 90 days</i> - issue immediately. Provide write-in ballots if official ballots are unavailable
45 days	Primary and general election ballots to overseas and service voters	Requests for overseas or service ballots inside 45 days – issue immediately
30 days	Special election ballots to overseas and service voters	Requests for overseas or service ballots inside 30 days - issue immediately
18 days	Ballots for all elections are available and mailed to regular voters Ballots mailed to ACP voters AVUs available for use	Ballots requested inside 18 days – issue as soon as possible
Election day 8:00 pm	Ballots issued for requests received prior to 8:00 pm	Requests received after 8 pm will not be honored

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## CERTIFICATE OF MAILING

Counties must certify to the Secretary of State the dates that ballots were available and mailed. This means that ballots to overseas and uniformed voters were sent no later than:

- The 30<sup>th</sup> day prior to spring special elections
- The 45<sup>th</sup> day prior to primary and general elections

All other ballots must be mailed by the 18th day or as soon as possible for all subsequent voter registration changes.

Blank certification forms are available on the Secretary of State's website.

## RECEIVING BALLOTS


Voted ballots may be received by mail, electronically, or in a deposit box. From the time of receipt until opening, all received return envelopes must be placed in secure storage.

## BALLOT DEPOSIT SITES

For every election, the County Auditor must provide at least two locations to deposit ballots in different geographical locations. These locations may be either a ballot deposit site or a voting center. At least one voting center, usually the County Auditor's office, must be open during normal business hours starting 18 days before an election through 8:00 pm Election Day.

Management of ballot boxes, no matter the location, must follow these rules.

- Boxes must be secured at all times with a lock *and* numbered seal. The seal, in conjunction with a seal log, documents access to the ballots. Seal logs must record every time the box is opened and by whom.
- Deposited ballots must be accessible only to the County Auditor, assigned staff, or people appointed by the County Auditor.
- Ballots removed from the box must be transported in carriers, secured with a seal and log, to the counting/processing center.
- At exactly 8:00 pm, all ballot drop boxes must be emptied or sealed to prevent late ballot delivery on Election Day.

 *Review deposit site seal logs immediately following Election Day. If a log is incomplete or missing, verify that the ballot deposit box is empty.*

No electioneering, campaigning, or petitioning is allowed within twenty-five feet of any ballot deposit site.

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## UNSTAFFED SITES

### Availability

Unstaffed deposit sites are available beginning 18 days prior to the election. Many unstaffed boxes are available 24 hours per day, however, the County Auditor may set specific hours a box will be available each day.

An unstaffed ballot deposit box located in a building must be secured using a lock, seal, and seal log. Unstaffed deposit boxes, located outdoors, must be:

- Tamper proof
- Weather proof
- Anchored to prevent removal
- Located in convenient, well light areas
- Accessible

### Operations

Empty the deposit boxes:

- Frequently enough to prevent damage to ballots
- Frequently enough to prevent the box from becoming too full
- Frequently enough to prevent unauthorized access
- With no fewer than two staff members or appointees

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## STAFFED SITES

### Availability

Deposit sites do not issue ballots.

- The presence of a DRE (Direct Recording Electronic voting device) upgrades the location to a voting center. An ES&S Automark® does not change a staffed deposit site to a voting center.

The County Auditor establishes the dates and times staffed deposits sites are available to voters. Staffed deposit sites that are open on Election Day must remain open until 8:00 pm.

### Operations

At least two people must staff each site.

- Employees of the County Auditor's office, or
- Representatives of different major political parties appointed by the County Auditor

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Deposit site staff must subscribe to an oath regarding the discharge of duties. Staff must record the seal number of the box prior to the first deposit. The seal must be intact when returned to the Auditor.

Ballots deposited after 8:00 pm Election Day are late.

- Staff must write the time and location on the outside of the envelope
- The ballot box is not opened; the sealed ballot box must be delivered to the County Auditor upon closing
- Late ballots will be referred to the Canvassing Board

## BALLOTING IN PERSON

### IS IT A VOTING CENTER OR A STAFFED DROP BOX?

Any location that offers replacement ballots, provisional ballots, or DRE voting is considered a voting center.

## VOTING CENTER REQUIREMENTS

### AVAILABILITY

At least one voting center must be open during regular business hours during the entire voting period, starting 18 days prior to the election and ending at 8:00 pm Election Day. The County Auditor may determine the days and hours of any additional voting centers.

### OPERATIONS

Requirements for staffed deposit sites apply to voting centers.

Additionally, voting centers must:

- Be in an accessible location
- Be marked with signage outside the building indicating it is a place for voting
- Issue ballots-including a ballot declaration
- Offer disability access voting, ensuring voter privacy
- Provide provisional ballots
- Require identification or a signed ballot declaration prior to voting on a DRE
- Provide either a voters' pamphlet or a sample ballot
- Provide voter registration forms
- Display a HAVA voter information poster (with election-specific information)
- Display appropriate partisan office notice

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- Provide instructions on how to properly mark the ballot
- Provide election materials in alternative languages, if required
- Provide ballot assistance to voters
- Provide a ballot box
- Secure the ballot box at exactly 8:00 pm on Election Day

### ELECTRONIC VOTING ON A DRE

Prior to voting on a direct recording electronic voting device (DRE):

- Staff must verify in real time that the voter has not already returned a voted ballot. This is done by accessing the county's voter registration system. Voting centers not located at the County Auditor's office must also be able to access the county voter registration system.
- The voter must provide valid photo identification or sign a ballot declaration. Neither confirmation nor identification of a voter is required before marking a ballot on an ES&S Automark®.



Immediately after a ballot is cast on a DRE, the voter's registration must be credited or flagged in some way as having already voted in the election to prevent double voting.

### WHAT CONSTITUTES IDENTIFICATION?

Valid photo identification may be one of the following.

- Driver's license
- State ID card
- Student ID card
- Tribal ID card
- Employer ID Card

A voter registration card is not identification.

If the voter opts to sign a ballot declaration, the signature on the declaration must be compared to the voter registration signature prior to casting the ballot.

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**What if the signature does not match and the voter has no identification?**

The only option is to offer the voter a provisional ballot.

**PROVISIONAL BALLOTS**

When an individual, who desires to vote in person, cannot provide identification, or whose status in the voter registration rolls is other than active or inactive, he or she must be issued a provisional ballot.

**WHEN SHOULD A VOTER USE A PROVISIONAL BALLOT?**

- When the in-person voter cannot provide acceptable photo ID
- When the voter's registration is in question
- When the voter is registered in another county, but unable to vote a home county replacement ballot

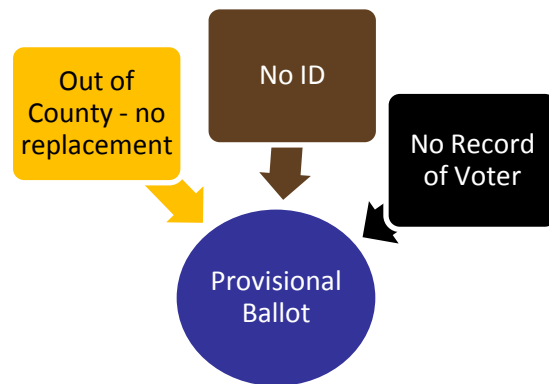
With a provisional ballot the voter is also given:

- A secrecy envelope
- A provisional ballot outer envelope

The voter must:

- Sign the declaration
- Complete the address information
- Provide addresses (registered address, both present and former if applicable)
- Include date of birth
- Insert the ballot inside the secrecy and outer envelopes and return to the elections staff

Elections staff will verify that all required information is on the outer envelope of the provisional ballot.

**FREE ACCESS SYSTEM**

At the time of voting, you must provide a provisional voter with written information on how to use a free access system. A free system must be in place for the voter to ascertain whether his or her vote was counted. Access to the system must be restricted to the voter and not open to view by others.

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### 4.3 INITIAL PROCESSING

RCW 29A.40,48,60; WAC 434-250,261

There are three stages in processing mail ballots: initial, final, and tabulation. Initial processing refers to all steps taken to prepare ballots for tabulation. Remember, the first voted ballot received is the ballot to count.

Initial processing begins upon receipt of the ballot, including:

- Postmark verification
- Signature verification
- Crediting voters
- Opening and separating envelopes
- Manual inspection of ballots
- Scanning (if applicable)
- Duplication, resolution, or adjudication
- Any additional steps required to prepare the ballots for tabulation

#### POSTMARK VERIFICATION

Mailed ballots must be postmarked **on or before Election Day**. A ballot envelope postmarked after Election Day or deposited later than 8 pm on Election Night must be submitted to the County Canvassing Board.

However, there are some exceptions.

- For UOCAVA voters, the postmark is not used. Instead, the date the voter signed the declaration must be on or before Election Day
- When the postmark is illegible, use the date the voter signed the declaration
- Postage that includes a date (meter postage or printed postage stickers) does not qualify as a postmark--use the date the voter signed the declaration
- An electronic ballot from a non-UOCAVA voter that is returned no later than 8:00 pm Pacific Time on Election Day, and the original documents are received prior to certification day, is valid, even if the postmark is after Election Day
- If a UOCAVA electronic ballot is returned by 8:00 pm Pacific Time on Election Day, the ballot is valid and may be counted; original documents are not required

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## SIGNATURE VERIFICATION

Every ballot must be accompanied by a signed declaration. Staff must verify that the signature accompanying the ballot matches the signature on the voter's registration record. Before verifying signatures, staff must do the following:

- Receive training specifically on signature verification
- Take an oath

Every county should have written procedures for accepting or suspending ballots based on signature verification.

An automated signature system may be used if pre-approved by the Office of the Secretary of State.

### WHAT IF THE VOTER. . .?

*Is unable to sign?* If a voter is unable to sign the declaration, he or she may make a mark witnessed by two people. The return ballot envelope must have spaces for the signatures of the witnesses. Signatures of witnesses are not verified.

*Uses a common nickname?* If a voter signs with a common nickname or initials, it is okay, as long as the handwriting and the last name are the same.

*Signs a different name?* If a voter signs with a different name, it may be accepted, as long as the handwriting is CLEARLY the same. Send the voter a name change form.

*Uses a Power of Attorney (POA)?* POA does not apply to voting and signatures by a POA are not accepted.

### CURING MISSING SIGNATURES

Whenever a returned ballot lacks a signature to the declaration, follow these steps. No less than three days before certification, notify the voter by first class mail of the steps the voter must take to cure the missing signature.

- Appear in person and sign the declaration no later than the day before certification
- Sign a copy of the declaration or mark the declaration in front of two witnesses and return it to the Auditor by the day before certification; include a copy of the declaration (do not send a copy of the voter's signature)

If a voter has not responded by three days before certification, telephone the voter.

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Keep a record of the following:

- The date when the voter was contacted or the notice sent
- The date the voter signed the envelope
- A copy of any supporting documents such as the envelope, new registration form, or change of name form

CURING <b>UNSIGNED</b> DECLARATIONS		
Actions available to voter	Deadline	Count the ballot if
Appear in person to sign declaration	The day before certification	Signature on declaration matches the signature on voter registration record
Sign a copy of the declaration and return it to the Auditor's Office	The day before certification	Signature on copy of declaration matches signature on voter registration record

#### QUESTIONABLE AND MISMATCHED SIGNATURES

All missing or questionable signatures must be cured no later than the day prior to certification of the election or primary in order for the ballot to be counted.

Some variables to consider:

- If the signature on the returned copy of the update form is the same name, but does not match the signature on the ballot declaration, the ballot cannot be counted.
- If the ballot is not signed by the person whose name is on the ballot envelope, nor does the signature match the voter registration record, the ballot may be counted if the voter who signed the envelope can be identified provided,
  - the signature on envelope matches voter registration record
  - voter who signed has not returned another ballot
  - only issues that the voter is qualified to vote upon will be counted

A voter may not cure a signature after certification of the election for the purpose of qualifying a ballot for a recount.

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CURING MISMATCHED SIGNATURES			
Actions available to voter	Deadline	Count the ballot if	Signature valid for
In person: Sign a new registration form at the Auditor's or Elections Office	The day before certification	Signature on new registration matches signature on ballot declaration	Current and future elections  Registration will be updated with the new signature
Mail: Sign a signature update form - includes both ballot declaration and voter registration oath	The day before certification	Signature on update form matches signature on ballot declaration	Registration will be updated with the new signature

### REPLACEMENT BALLOTS

A replacement ballot may be issued to any voter with active or inactive status. If the voter returns two ballots, process the first valid ballot received.

If additional voted ballots are returned by the voter, send to the Canvassing Board for rejection.

### SPECIAL CIRCUMSTANCE BALLOTS

#### FEDERAL WRITE-IN ABSENTEE BALLOTS (FWAB)

Intended for the use of a military or overseas voter who did not receive a regular ballot, any military or overseas elector may use an FWAB.

FWABs may be used for any election.

Prior to processing a Federal Write-In Absentee Ballot (FWAB), ask:

#### *Is the voter registered?*

If the answer is "NO" – register the voter if the FWAB contains all the required voter registration information & process the ballot.

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Count the ballot even if all the required information is not provided as long as it is signed.  
Contact the voter for the missing information.

If "YES" – check to see if a ballot has already been returned.

### *Was an official ballot returned by the voter?*

If "NO" – continue to process the FWAB.

If "YES" – send the FWAB to the Canvassing Board for rejection.

If the ballot is cleared for counting, then proceed with processing.

- Verify the signature (if there is one to verify against)
- Duplicate to the voter's precinct

### *What if I am unable to determine a military or overseas voter's Washington State residential address?*

If the FWAB does not have enough information to precinct the voter:

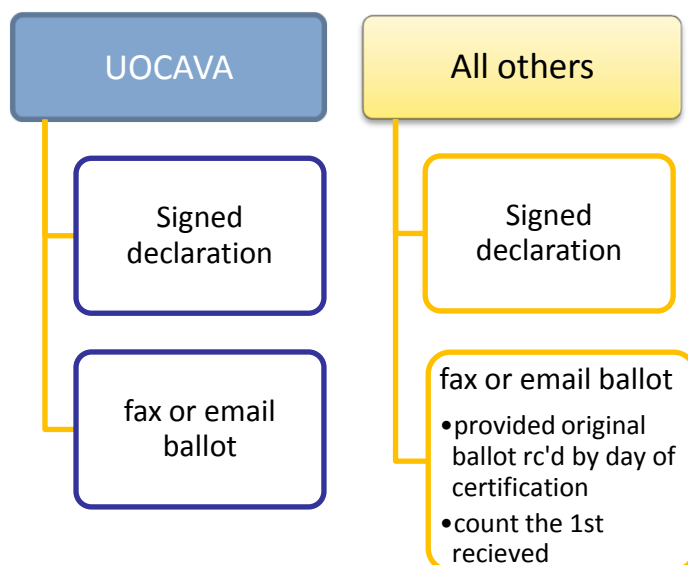
- Contact the applicant and request the address of his or her last residence in Washington State
- If there is not enough time to contact the voter, precinct the voter to the County Auditor's Office
- If you do not receive a Washington address from the voter, only countywide offices and issues may be counted

### **FAX AND EMAIL BALLOTS**

A voted ballot may be received by electronic transmission, but no later than 8:00 pm Pacific time.

#### **Non-UOCAVA ballots:**

- A copy of the ballot declaration, signed by the voter, must be included
- The original ballot must be received by the day before certification
- If the original ballot is not received, the ballot must be rejected



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**UOCAVA ballots:**

- A copy of the signed declaration must be included

The original ballot is not required. Duplicate the email/fax ballot and count the ballot if the signature on the declaration matches the voter registration record.

**NOT AN OFFICIAL BALLOT?**

Voting responses by mail on any form other than the ballot are acceptable.

- Only the votes for offices and measures for which the voter is eligible will be counted
- Candidate/measure must be clearly identified
- The official ballot issued has not been returned
- A valid signature on a ballot declaration must accompany the voting responses
  - If a signed declaration is not included, treat it as an unsigned ballot

The votes accepted must be duplicated to the correct precinct ballot.

**PROVISIONAL BALLOTS**

Before processing a provisional ballot, check the voter's registration on the VRDB.

- Registered in another county—send the ballot to that county
- Registered in your county
  - If the correct ballot was voted, process
  - If the incorrect ballot was voted, process & duplicate the ballot to correct ballot style with the office and issues for which the voter was eligible
- Not registered to vote in Washington
  - Voter was canceled in error, reinstate registration, process
  - Voter canceled correctly or never registered, ballot does not count
  - Registered in another state, treat as if not registered and do not send ballot to the state

**Provisional Ballot Free Access System**

Every provisional voter must be able to check if their provisional ballot counted via a free access system. System requirements:

- Instructions on free access system given to voter at time of casting a provisional ballot
- Information must be available on the system one week after certification
- Must be free to voter
- Must be exclusively available to voter
- Information on the system should include:
  - If the ballot was determined as valid and counted

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- If it was not counted, an explanation of why it was rejected
- If the ballot was sent to another county for determination

## CREDITING VOTERS

All crediting must be completed before certification of the election or primary. Crediting usually occurs automatically as ballots are entered into the voter registration management system.

Voters whose ballots were not counted do not get credit for voting.

## OPENING AND SEPARATING ENVELOPES


In order to protect the secrecy of ballots, use a two step process:

- Separate the security envelopes from the outer mailing envelopes
- Isolate the declaration envelopes prior to removing ballots from the security envelopes

Store the envelopes in a logical manner – you may need to find them later.

Confirm all ballots have been removed by doing one of the following:

- Look through the envelope hole, or
- Insert something through the hole, such as a zip tie

 *Be prepared. Envelopes don't always contain the correct ballot or any ballot at all! Anticipate problems through your office procedures.*

## MANUAL INSPECTION

Manual inspection ensures that a ballot will be read by the tabulation system as the voter intended.

All ballots must be manually inspected

- Both sides of the ballot
- Each response position

Make sure members of inspection boards are well trained. Training should include:

- An explanation of what the county tabulation system will and will not read
- A copy and thorough explanation of the “Statewide Standards on What is a Vote” (WAC 434-261-086)
- Any special rules that apply to the specific primary or election (e.g. Presidential Primary)
- Office procedures for write-in votes

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When manually inspecting ballots, look for anything that would prevent the ballot from being read correctly by the tabulation equipment.

### DIGITAL SCANNING

Scanning into a digital scan voting system does NOT tabulate votes. Unlike optical scanners, digital scan voting systems use scanning as part of initial processing, not part of the final processing.

Counties with digital scan systems must still manually inspect ballots.

In counties that use digital scan voting systems, ballots must first be manually inspected and then scanned into the tabulation system. Each ballot image is stored in the system ready for resolution or adjudication and tally of votes.

### DUPLICATING AND RESOLVING

**Duplication** is the process of creating a true, readable (by the tabulators) copy of valid votes onto an official blank ballot. A readable ballot is any ballot that the county vote tabulation system can accept and read *as the voter intended*. When a ballot is unreadable by the tabulator, you must duplicate the votes to a blank ballot.

Written procedures addressing situations in which ballots are duplicated must be included in the County Canvassing Board manual.

**Resolving** ballots is the process of telling a digital scan voting system how to interpret a vote on a ballot that might otherwise be incorrectly read by the system. This process is known as 'adjudication' in some counties.

Whether a county is duplicating or resolving, there are specific requirements that apply.

- Duplication and resolution must be done in teams of at least two staff members
- A log must be kept of the ballots duplicated or resolved
- A unique control number must be assigned to the original ballot and corresponding copy
- The duplication log must include the total number of ballots duplicated and the initials of the duplication team members
- Resolving, because it is electronic, requires a resolution log from the system to be printed and signed by the two staff members who resolved the ballots

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## UNREGISTERED UOCAVA BALLOTS

### **Federal Write-in Absentee Ballots (FWABs) and regular UOCAVA ballots**

Honor the voter's intent. Some voters may not know the name of a candidate and will simply put in the political party.

If the precinct of the UOCAVA voter cannot be determined, the ballot must be duplicated as if the voter is precincted at the County Auditor's Office. Count only countywide issues and congressional positions.

## CHALLENGES

RCW 29A.08

The right to cast a ballot by a voter must be challenged *before* the voted ballot is received by the County Auditor's Office. Any ballot received from a challenged voter will be set aside with a record of pertinent information, and then presented for determination to the Canvassing Board.

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## 4.4 FINAL PROCESSING

RCW 29A.60; WAC 434-250 &amp; 261

## DEFINITION

*Final Processing:* “The reading of ballots by an optical scan voting system for the purpose of producing returns of votes cast, but does not include tabulation.”

Election Day - Final processing begins no earlier than 7:00 a.m. on Election Day.


With an approved security procedure, optical scan systems may begin processing ballots through the tabulation system the day before Election Day.

Observers are not permitted to handle ballots; only authorized staff may handle ballots.

## TABULATION

*Tabulation:* “Production of returns of votes cast for candidates or ballot measures in a format that can be read by a person, whether precinct totals, partial cumulative totals, or final cumulative totals.”

Tabulation, regardless of the type of vote tallying system, may not begin before 8:00 pm on Election Day.

 *Prior to every election, confirm that all computer and support system times and dates are correct.*

## DUPLICATION/RESOLUTION

Ballots may have to be duplicated during final processing.

- Ballots damaged by tabulator
- Issues not detected during manual inspection

Duplication or resolution procedures do not differ from the pre-election duplication/resolution processes.

## WRITE IN VOTES

Write-ins are complex to administer, especially in a primary or in races with a single candidate.

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In a primary race, a write-in candidate needs at least 1% of the total votes cast *and* be one of the top two vote-getters to go onto the General Election. If only one candidate filed, you must examine write-in votes for potential candidates that may advance to the General Election.

- The percentage is based on the “total votes cast” and includes votes cast for candidates printed on the ballot plus write-in votes for that office.
- Overvotes and undervotes are not valid votes cast for candidates and are not used in determining whether a candidate meets the 1% requirement.

These points apply to any election or primary.

- Refer to the Election Administrators web page and [Clearinghouse 12-04](#), “Write-in Voting.”
- Manage write-in votes, overvotes, and undervotes during tabulation so that you can revisit these ballots.
- Election results should include the total write-in votes for each office.
- Tally write-in votes for individual candidates when the sum of write-ins, overvotes, and undervotes cast in an office equals enough votes to make a difference in the outcome of the race.

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#### WHAT IS A VALID WRITE-IN VOTE?

Any name written in a race is a valid vote, even if the response mark is incomplete.

- Exception 1: if the voter has cast a vote for a candidate printed on the ballot and written the name of the same candidate, count the vote for the candidate. This is not a write-in or an overvote.
- Exception 2: General Election write-in votes for candidates losing in the primary are not valid votes.
- Votes for individual candidates are tallied only when it could make a difference in the outcome of the election.

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#### DO WE TALLY VOTES FOR CANDIDATES NOT REGISTERED TO VOTE IN A DISTRICT, SUCH AS “MICKEY MOUSE” AND “NONE OF THE ABOVE”?

- You are not required to tally or duplicate individual votes for write-in candidates not registered to vote in the district.
- Before you reject a vote, check to see if anyone is registered to vote with that name in a district. Even “None of the above” could be voter’s name. And don’t forget the name may be a nickname, such as Mickey Mouse may be a voter named Michael Mouse.
- These votes must be included in the total votes cast when determining the 1% threshold.

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### FREQUENT QUESTIONS ABOUT WRITE-IN VOTING

**Q. What are write-in votes?**

A voter may write in the name of anyone for an office. Each office has a write-in spot where the voter may place their vote.

**Q. What is a declared write-in candidate?**

A candidate may declare as a write-in candidate by submitting a declaration of candidacy form and paying the appropriate filing fee. A declaration of write-in candidacy must be filed by the 18th day before the election or primary.

**Q. What is an undeclared write-in candidate?**

Any other candidate written in by a voter.

**Q. Can anyone be a declared write-in candidate?**

No. Declared write-in candidates must possess the same qualifications as regular candidates. Candidates running for the same office in the Primary (and lost) or candidates that already appear on the ballot for another office cannot be declared write-in candidates.

**Q. Are fictitious characters valid votes?**

They are valid votes and would be tallied the same as other write-in votes. Winning an election, however, does not mean the winning candidate is qualified to take office.

**Q. Is the vote valid if the voter did not fill in the response position on the ballot?**

If something is written in on the write-in line, it is considered a valid vote, even if the response position is not filled in.

**Q. If the voter votes for a candidate printed on the ballot and writes in a vote for the same office is it an overvote?**

Yes, unless the voter voted for the same candidate twice. In that case, the vote is valid for that candidate.

**Q. Must all votes for declared write-in candidates be individually tallied?**

No. The same rules apply for all write-in candidates. (See, "When do you tally write-in votes?")

**Q. When do you tally write-in votes?**

The number of write-in votes for each office must be reported, but votes for individual candidates do not need to be tallied unless it could make a difference in the outcome of the election.

"These votes need not be tabulated unless: (a) The difference between the number of votes cast for the candidate apparently qualified to appear on the general election ballot or elected

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and the candidate receiving the next highest number of votes is less than the sum of the total number of write-in votes cast for the office plus the overvotes and undervotes recorded by the vote tabulating system; or (b) a manual recount is conducted for that office.” RCW 29A.60.021 The results of each race must be checked to determine if individual write-in votes must be tallied.

For offices with only one candidate appearing on the ballot, a write-in candidate only needs to receive the next highest number of votes AND only 1% of the total votes cast to appear on the general election ballot. In multi-county legislative and judicial offices, federal, and statewide offices, individual tallies for all write-ins for single candidate races must be included in the certification report sent to the Office of the Secretary of State.

**Q. Should a ballot with a write-in vote be duplicated if the response position is not filled in?**

It is not required to duplicate ballots with write-ins. State law only requires that individual votes be tallied when the sum of write-ins, overvotes, and undervotes are enough to affect the outcome of the election.

Exception: The number of signatures required for state initiatives and referenda is based on the number of votes cast for Governor, including write-in votes. All write-in votes, including those not filling in a response position, must be reported.

**Q. For digital scan tabulation systems, should I type in the write-in vote when resolving ballots?**

You are not required to record the candidate’s name unless there are enough to tally individual votes. If you are required to tally these votes later, however, you will need to pull the ballots to tally the votes. To avoid this situation, some counties record the individual names of all write-in votes as they are scanned and resolved.

**Q. Are write-in vote tallies included in the official results of the election?**

Yes. A write-in vote is a valid, recordable vote.

**Q. Should declared write-in candidates be included in the voters’ pamphlet?**

No, unless the candidate was declared for the primary and won.

## FINAL STORAGE


All ballots must be secured immediately after tabulation. You may separate by precinct or batch.

If a single container stores multiple precincts / batches:

- Clearly separate them (i.e., with a piece of colored paper)
- Note which precincts or batches are in the box on the outside label

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Only open storage containers when directed by the canvassing board or court order.

 *In a close race it may be necessary to re-examine ballots with undervotes, overvotes and write-in votes. Consider this when storing ballots.*

## RESULTS

Produce all election and primary results as:

- Cumulative
- By precinct

After every tabulation session is completed, results must be:

- Posted through the WEI system (before you leave)
- Printed out for the record
- Transmitted by email/fax to media and other interested parties

Two days or less after Election Day, review results for anomalies by comparing precinct by precinct results for races, measures and jurisdictions. Look for any anomalies including the following:

- Abnormal amount of overvotes
- Abnormal amount of undervotes
- Odd vote distribution
- Unlikely pattern of voter turnout

Investigate the cause of the anomaly and correct any errors.

## POST-ELECTION

Ballot counting continues after Election Day for several reasons. Valid ballots are defined as:

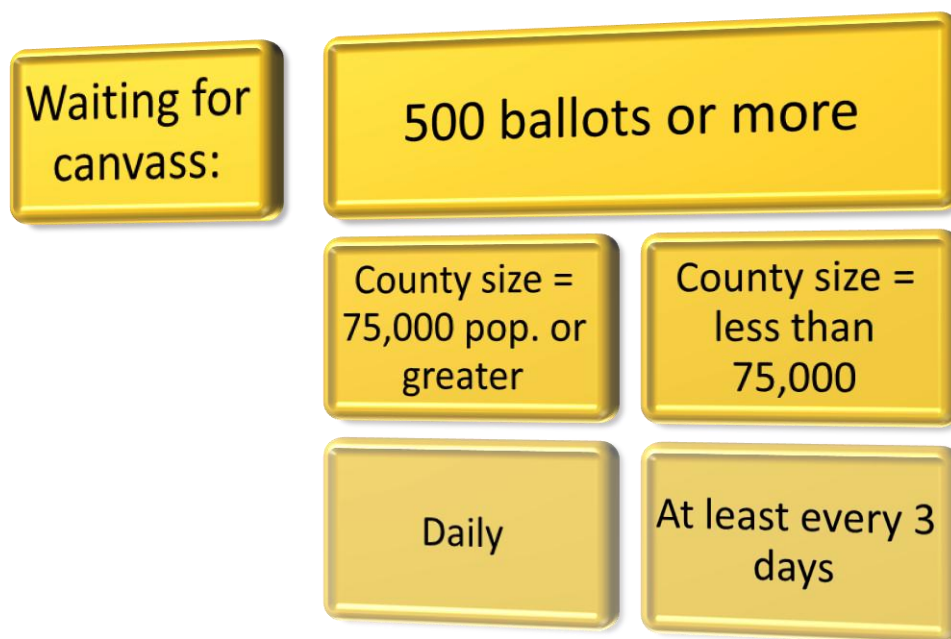
- Ballots with a valid postmark received between Election Day and the day prior to certification
- Ballots from UOCAVA voters that are signed no later than the day of the election and received the day prior to certification
- Valid provisional ballots, including those from other counties
- Ballots canvassed as valid by the County Canvassing Board
- Ballots duplicated after Election Day

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### WHEN TO TABULATE?

The number of ballots, the length of time, and the population of the county determines when to tabulate following Election Day.

*“...the county auditor, as delegated by the county canvassing board, shall process ballots and canvass the votes cast at that primary or election on a daily basis in counties with a population of seventy-five thousand or more, or at least every third day for counties with a population of less than seventy-five thousand, if the county auditor is in possession of more than five hundred ballots that have yet to be canvassed.”*



It's important to report results in the WEI system after every count. Include an ***estimate*** of the number of ballots remaining to be counted.

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